IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

FRIDAY, THE FOURTH DAY OF MARCH, TWO THOUSAND AND FIVE

PRESENT

HON'BLE SRI DEVINDER GUPTA, CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE B.SESHASAYANA REDDY

W.P.No.1088 of 2005

Between:

Irlapati Gangadhar Rao, S/o Pullaiah, Service, R/o H.No.5-30-4/1, Saibabanagar, Jeedimetla, Hyderabad – 55.

PETITIONER

And

1. The Principal Secretary, Finance and Planning, Secretariat, Hyderabad.
2. The Director, Directorate of Economics and Statistics, Khairtabad, Hyderabad.

RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of "writ of mandamus" declaring the action of the respondents in not considering my representations dated 1-4-2004 and 1-8-2004 for implementing the project of "RAINFAL AND DISASTERS CELL (WATCH AND WARNING PREVENTION AND MITIGATION SERVICES)' for this purpose of this project which can help to forecast the droughts, cyclones, monsoon failures etc., in advance declare the same as illegal, arbitrary and unconstitutional and violative of the Article 14, 21 of Constitution of India and seeking appropriate direction from this Hon'ble Court to direct the respondents forthwith to take necessary action regarding to

representations dated 1-4-2004 and 1-8-2004 for implementing the project of "RAINFAL AND DISASTERS CELL (WATCH AND WARNING PREVENTION AND MITIGATION SERVICES)''.

Counsel for the Petitioner: Mr.P.Jagadish Chandra Prasad

Counsel for the Respondent No.1: Govt. Pleader for General Administration Department.

Counsel for the Respondent No.2: None appeared

The Court at the admission stage made the following:

ORAL ORDER: (per the Hon'ble the Chief Justice)

On 11th February, 2005, we had called upon the petitioner to satisfy us as to how the petition can be entertained as public interest litigation. Petitioner himself claims to have prepared some project report on the Revival of Disaster Cell (Watch and Warning Prevention and Mitigation Services) and stated to have sent the report to the Cabinet Secretary, Government of India and Chief Secretary, Government of Andhra Pradesh. The petitioner requested the Central Government to take the weather forecasting Scale and Earthquake forewarning Geoscope and issue relevant instructions to India Meteorological Department for further development and implementations of the models in the services of the country people and to the State Government to take draught combating proposals and issue relevant instructions.

In other words, petitioner wants that whatever he had said in the report must be accepted by the respondents and action plan must be taken by the respondents

on what he has suggested in his report. Such petition cannot be treated as public interest litigation to issue any direction to the respondents. Petitioner has already forwarded his views to the Central Government and to the State Government. It is for the Central Government and State Government to consider or not to consider the petitioner's views. There cannot be any intervention by the judiciary by issuing directions to respondents to consider the petitioner's suggestions and pass orders thereupon.

Petition dismissed.

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DEVINDER GUPTA, CJ

4-3-2005

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B.SESHASAYANA REDDY,J

Tvr

To

1. The Principal Secretary, Finance and Planning, Secretariat, Hyderabad.
2. The Director, Directorate of Economics and Statistics, Khairtabad, Hyderabad.

3. 2 CCs to the Govt. Pleader for General Administration Department,

High Court Buildings, Hyderabad (OUT).

4. 2 CD copies.